GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION BOARD

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                              |
IN THE MATTER OF: |
                              |
3001 M STREET NW, LP | Fact Finding
t/a Fino | Hearing
3011 M Street NW | [Status]
                              |
Ret. Class CR |
                              |
License No. 92491 ANC 2E |
                              |
_____|

                    Thursday,
                    May 15, 2014

                    Hearing Room 7100
                    941 North Capitol Street, N.E.
                    Washington, D.C. 20002

     The above-entitled matter convened at
3:00 p.m., before the District of Columbia
Alcoholic Beverage Regulation Administration
Board.

BEFORE:

RUTHANNE MILLER, Chairperson
DONALD BROOKS, Member
NICK ALBERTI, Member
HECTOR RODRIGUEZ, Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member

1   P R O C E E D I N G S

2   [3:27 p.m.]

3   CHAIRPERSON MILLER: You are?

4   Okay, we can take you then. We're going to

5   pick up with our 3:00 o'clock fact finding

6   hearing, which is the case of Namir, LLC,

7   trading as Fino, located at 3001 M Street, NW,

8   license number 60545.

9   In ANC 2E, this is also a case

10   dealing with a license in extended

11   safekeeping, and the licensee has not

12   appeared. It's 3:27 and the hearing was

13   called for 3:00 o'clock p.m. So Mr. Gordy

14   from our licensing division is going to give

15   us some information.

16   Do you want to put on the record

17   your full title and everything?

18   MR. GORDY: Sure. My name is Sean

19   Gordy, Licensing Manager, Alcoholic Beverage

20   Regulation Administration.

21   CHAIRPERSON MILLER: Okay. Do you

22   know if this license has been in safekeeping?

1   MR. GORDY: The license was

2   originally placed into safekeeping by the

3   original owner in October, 2012. It was a

4   safekeeping on October 17, 2012.

5   CHAIRPERSON MILLER: Okay. So

6   what's the history with this one?

7   MR. GORDY: The history was

8   basically after it was originally approved for

9   six months in October, 2012, that following

10   November, 2012, the U.S. Marshall served ABRA

11   with an involuntary -- with involuntary

12   transfer information.

13   The attorney for the landlord --

14   attorney representing the landlord, Michael

15   Hibbe, actually requested the Board to approve

16   an involuntary transfer based on the original

17   licensee's loss. That involuntary transfer

18   was approved and the license was transferred

19   to 3011 M Street, NW, LLC. And then they

20   placed it into safekeeping.

21   CHAIRPERSON MILLER: So when did

22   they place it in safekeeping?

1   MR. GORDY: I believe it went into

2   safekeeping early 2013.

3   CHAIRPERSON MILLER: Okay. Has

4   there been any other activity with respect to

5   this license since early 2013?

6   MR. GORDY: Yes ma'am. Actually

7   the license was -- the second third year

8   payment was recently paid by Mr. Hibbe who

9   came into ABRA to render that payment. And he

10   was told at the time to submit another letter

11   on letter, requesting an extension for another

12   six months.

13   And as I said, that was a few

14   weeks ago, and we still have not received any

15   information or the letter.

16   CHAIRPERSON MILLER: He was asked

17   to submit an extension, is that what you said?

18   MR. GORDY: Yes ma'am.

19   CHAIRPERSON MILLER: Okay.

20   Request for extension, okay. So did you speak

21   with him, or one of the employees?

22   MR. GORDY: One of the license

1 specialist -- one of our employees who's a

2 licensing specialist.

3   CHAIRPERSON MILLER: Okay. So Mr.

4 Hibbe is the contact person?

5   MR. GORDY: Yes ma'am.

6   CHAIRPERSON MILLER: And did he

7 know about this hearing?

8   MR. GORDY: Again, the licensing

9 specialist did convey whatever contact

10 information to our adjudication team who

11 mailed the letters out. And I'm sure he was

12 contacted, or at least -- because we had

13 recent current information, he was just here.

14   CHAIRPERSON MILLER: Right.

15   MR. GORDY: So we had up to date

16 information.

17   CHAIRPERSON MILLER: So he was

18 just here about when?

19   MR. GORDY: About three weeks ago.

20   CHAIRPERSON MILLER: Oh, okay.

21 Good. Okay. So we can get in touch with him.

22   MR. GORDY: Yes.

1   CHAIRPERSON MILLER: Okay. Okay.

2   Other questions?

3   MEMBER ALBERTI: No.

4   CHAIRPERSON MILLER: Okay.

5   MEMBER ALBERTI: This is another

6   occasion where we -- I'm wondering what

7   actions the Board can or can't take when there

8   is no request for safekeeping, for extension

9   of safekeeping? But I posed that question

10   earlier.

11   CHAIRPERSON MILLER: Okay. So

12   yes, we have questions based on these fact

13   finding hearings that we can look into. You

14   don't have any other facts for us with respect

15   to this license do you?

16   MR. GORDY: No.

17   CHAIRPERSON MILLER: Okay. Any

18   other questions. Okay, thanks. Okay.

19   [Whereupon, at 3:31 p.m., the fact

20   finding status hearing was adjourned]

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